

DOCKET FILE COPY ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of

) MM DOCKET NO. 95-154

CONTEMPORARY MEDIA, INC.

Licensee of Stations WBOW, WZZQ, and
WZZQ-FM, Terre Haute, Indiana

Order to Show Cause Why the Licenses for Stations
WBOW, WZZQ, and WZZQ-FM, Terre Haute,
Indiana, Should Not Be Revoked

CONTEMPORARY BROADCASTING, INC.

Licensee of Station KFMZ(FM), Columbia Missouri, and
Permittee of Station KAAM-FM, Huntsville, Missouri
(unbuilt)

Order to Show Cause Why the Authorizations for
Stations KFMZ(FM), Columbia, Missouri, and KAAM-FM,
Huntsville, Missouri, Should Not Be Revoked

LAKE BROADCASTING, INC.

Licensee of Station KBMX(FM), Eldon, Missouri and
Permittee of Station KFXE(FM), Cuba, Missouri

Order to Show Cause Why the Authorizations for
Stations KBMX(FM), Eldon, Missouri, and KFXE(FM),
Cuba, Missouri, Should Not Be Revoked

LAKE BROADCASTING, INC.

For a Construction Permit for New FM Station on
Channel 244A at Bourbon, Missouri

) File No. BPH-921112MH

To: The Commission

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

MOTION TO FILE EXCEPTIONS IN EXCESS OF PRESCRIBED LENGTH

Contemporary Media, Inc., Contemporary Broadcasting, Inc. and Lake Broadcasting, Inc. (the "Licensees"), by their attorneys, hereby respectfully seek leave to file Exceptions to the Initial Decision in the above-referenced proceeding of up to 37 pages in length, and,

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consequently, in excess of the 25-page limit specified in §1.277(c) of the Commission's Rules.

In support hereof, the following is shown:

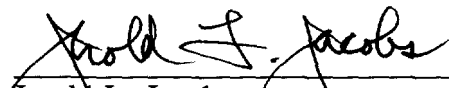
1. The Initial Decision of Administrative Law Judge Arthur J. Steinberg, FCC 97D-09 (the "I.D."), was released in this proceeding on August 21, 1997. By Order, FCC 97I-30, released September 11, 1997, the Commission extended the deadline for filing Exceptions to and including October 31, 1997. The 53-page I.D. proposes to revoke the Licensees' five radio broadcast station licenses and two construction permits for new stations. Important and novel issues have been raised in this proceeding, and the Licensees are well along in drafting their Exceptions. However, they have discovered that, given the issues raised and the grave revocation sanction that is proposed, they cannot properly present all of their primary appellate arguments within the 25-page limit specified in the Rules (the present full draft of the Exceptions is approximately 37 pages long). Although counsel is endeavoring to further refine the Exceptions to no more than 35 pages, leave is being sought for a 37-page limit out of abundance of caution.

2. Until 1991, §1.277(c) of the Rules allowed 50 pages of Exceptions to be filed against Initial Decisions. However, for good cause shown, the number of pages was extended in individual cases by the former Review Board. See, e.g., Order in George E. Cameron Jr. Communications (KROQ) (Docket No. 20629), FCC 82R-14, released March 24, 1982 (75-page Exceptions allowed in comparative renewal case in which 48-page I.D. denied renewals and awarded two frequencies to new applicants). Although the Rule now makes 25-page Exceptions the standard, the Licensees urge that a Cameron-like 50% increase in permissible pages (up to and including 37 pages) fully comports with fairness and administrative due process. Moreover, the Mass Media Bureau has authorized undersigned counsel to state that it will not object to the

requested 37-page limit. Accordingly, good cause exists for a grant of the requested extended page limit.

WHEREFORE, for the reasons set forth above, the Licensees respectfully request that they be permitted to file Exceptions of up to 37 pages in this proceeding.

Respectfully submitted,



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Lake Broadcasting, Inc.

Dated: October 15, 1997

CERTIFICATE OF SERVICE

I, Gillian Kirkpatrick, a secretary in the law offices of Rosenman & Colin LLP, do hereby certify that on this 15th day of October, 1997, I have caused to be hand-delivered a copy of the foregoing "Motion to File Exceptions in Excess of Prescribed Length" to the following:

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